

REMARKS

Applicants request reconsideration and allowance of the present application in view of the following remarks.

Claims 1-18 are pending in the present application. Claims 1, 5 and 9 are the independent claims.

Initially, Applicant acknowledges with appreciation the indication that claims 2-4, 6-8 and 10-18 recite patentable subject matter and would be allowable if rewritten in independent form to include all of the features of their respective base claims and any intervening claims. Applicant has respectfully maintained these claims in dependent form because it is believed, for at least the reasons discussed below, that the independent claims patentably define the present invention over the citations of record.

Claims 1 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,590,850 (Hedenberg) in view of U.S. Patent No. 3,687,251 (Hoerner). Claim 9 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Hedenberg. All rejections are respectfully traversed.

Independent claim 1 recites, inter alia, a reduction gear which speed-reduces a driving force of a driving motor and has an output shaft thereof transmitting the speed-reduced driving force to a lower kneading drum.

Independent claim 5 recites, inter alia, a reduction gear controlling a driving force of the driving motor coupled to an output shaft transmitting the driving force to a first drum.

Independent claim 9 recites, inter alia, a connector connecting an output shaft of a reduction gear and connecting a first driving shaft part of a first kneading drum.

However, it is respectfully submitted that the asserted citations do not teach or suggest at least the aforementioned features of independent claims 1, 5, and 9. Thus, without conceding the propriety of the asserted combination, it is respectfully submitted that the asserted combination is likewise deficient.

Regarding the rejection of independent claims 1 and 5, the Office Action broadly contends without specific identification of support that the primary citation to Hedenberg discloses the aforementioned features of these claims. (Office Action, page 2). This contention is respectfully traversed.

Hedenberg relates to an apparatus for automatically making food products and discusses a various arrangements for the apparatus. The Office Action does not specifically apply the cited art against these claims. However, in rejecting claim 9, the Office Action cites FIGS. 11-17 and their associated written description. (Office Action, page 3). FIGS. 11, 12, 13, 15 of Hedenberg each relate to a discrete alternative embodiment. Each is discussed in turn.

In FIG. 11, drive mechanism 42 drives driven rolls 91 which engage and move bag 12 between rollers 88 and 89. No kneading drum is driven via an output shaft.

In FIG. 12, motor 42 drives spindle 95 to move heat treatment stations 13 and 14 up and down so that roll members 88 can act on bag 12. No kneading drum is driven by an output shaft.

In FIG. 13, gear 99 is driven by an unseen motor to pivot heat treatment stations 13, 14, about pivot 98. No kneading drum is driven via an output shaft.

In FIG. 15, rotatable rolls 84 and 85 are driven by an unseen reversible motor. The rotatable rolls cause the bag 12 to move between rollers 88 and 89. No kneading drum is driven via an output shaft.

Thus, Hedenberg does not meet the aforementioned features of independent claims 1 and 5.

The secondary citation to Hoerner relates to a torque transmitting device and is cited for its alleged teaching of "an engager." (Office Action, page 2). Applicant respectfully submits that Hoerner adds nothing that would remedy the aforementioned deficiency in the disclosure of Hedenberg.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1 and 5 are respectfully requested.

Regarding the rejection of independent claim 9 under 35 U.S.C. § 102, as explained above, while Hedenberg discusses several alternative arrangements for an apparatus for automatically making food products, none of the arrangements include a shaft driving a roller.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claim 9 are respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, The Examiner is requested to telephone the undersigned to attend to such matters.

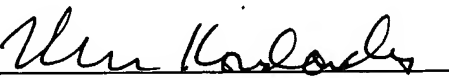
There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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